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 CLERK OF DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Defendants PENNSYLVANIA LIFE
 INSURANCE COMPANY and PRIMERICA LIFE
 INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

FAXED

ROBERT A. FINK, M.D.,
 Plaintiff,
 vs.

Case No. CV 05-1241 WHA

STIPULATION RE DISMISSAL OF
 ENTIRE ACTION WITH PREJUDICE;
 AND ~~PROPOSED~~ ORDER THEREON

PENNSYLVANIA LIFE INSURANCE
 COMPANY, MASSACHUSETTS
 INDEMNITY AND LIFE INSURANCE
 COMPANY, and DOES 1 through 30,
 inclusive,
 Defendant.

IT IS HEREBY STIPULATED by and between plaintiff Robert A. Fink, M.D. ("Plaintiff")
 and defendants Pennsylvania Life Insurance Company and Primerica Life Insurance Company,
 formerly known as Massachusetts Indemnity and Life Insurance Company, through their
 respective counsel of record, that:

1. The parties hereto have entered into a Settlement Agreement and Mutual Release
 whereby Plaintiff's Complaint on file in this action, and all claims and causes of action therein,
 shall be dismissed in their entirety with prejudice;

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CV 05-1241 WHA

STIPULATION RE DISMISSAL OF ENTIRE ACTION WITHOUT PREJUDICE; [PROPOSED] ORDER

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MANNION & LOWE
ANDERSON MCPHARLIN

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2. That each party to this action shall bear his or its own attorney's fees and costs of suit in connection with this action.

DATED: October 19, 2005

MANNION & LOWE

By: 

E. Gerard Mannion
Wesley M. Lowe
Attorneys for Plaintiff, ROBERT A. FINK, M.D.

DATED: October 20, 2005

ANDERSON, McPHARLIN & CONNERS LLP

By: 

Richard P. Tricker
Thomas J. Kearney
Attorneys for Defendants PENNSYLVANIA LIFE
INSURANCE COMPANY and PRIMERICA LIFE
INSURANCE COMPANY

ORDER

Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that: (1) Plaintiff's Complaint on file in this action therein, and all claims and causes of action therein, shall be and hereby are dismissed in their entirety as to all defendants with prejudice; and (2) each party thereto shall bear his or its own attorney's fees and costs of suit in connection with this action.

The Court retains no jurisdiction to enforce the settlement agreement.

DATED: 10/21/05


UNITED STATES DISTRICT JUDGE

ANDERSON, McPHARLIN & CONNERS LLP

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